

1893-037 Chancery Causes: George R. Mileyham to vs. Andy Wadde & wife
Lee Co.

Wedle, Manning, Hammer

CH-Estate Dispute
T-Property

-Deed

To the honorable H. S. K. Morrison Judge
of the Circuit Court of Lee County Virginia.

Humbly complaining your orators & oratrices
George R. Milham, Manuel Manning & Sarah
H. Manning his wife, formerly Sarah H.
Milham, Allen Milham, Moses Hammer &
Atham Hammer his wife, formerly Atham
Milham, John Hammer & Susan Hammer
his wife, formerly Susan Milham, would
respectfully shew unto your honor, that
they are the children and heirs at law of
Jm Milham deceased, who was a son of
Allen H. Milham deceased, and who died
before his said father; that their said Grand
father, Allen H. Milham, departed this life,
about the year 1883, intestate, possessed of a
valuable personal estate, but had disposed
of all his real estate during his lifetime,
And in disposing of his real estate, their
said Grand father on the 30th day of March
1878, executed and delivered to his daughter,
Juliana Waddle, wife of Andy Waddle, a deed
for a certain tract or parcel of land lying
and being in said county, on the waters of
Yellow Creek, containing 143 Acres, more or
less, and properly described in said deed,
A copy of which is herewith filed as part hereof
marked "A". In said deed the said Allen

It Milham provides for the payment of One hundred & fifty dollars to the heirs of Wm Milham "as they come to be twenty one years of age", and states that as the Consideration in said deed. Now your orators & oratrices will further shew unto your honor, that they had other brothers & a Sister, to wit: - Wm Milham who died when only two years of age, Henry Milham who died when twenty two years old, John Milham who died when sixteen years old and Mary Ellen Milham who died when nineteen years of age, all of whom died without issue; that your orators & oratrices George R, Sarah & Allen, Athan & Susan are, as before stated, the only living children & heirs of the said Wm Milham deed, and that they were each twenty one years of age & upwards at the date of the execution of said deed, Consequently that the said sum of \$150⁰⁰ is due them in equal proportions with interest thereon from the said 30th day of March 1878, the date of the execution & delivery of said deed, until paid, no part thereof having ever been paid. And your orators & oratrices being advised that a lien exists, in their favor, upon said land, for the said sum of money & interest thereon, the object therefore

- of this bill is to enforce said lien against said land, and compel the payment of said sum of \$150⁰⁰ & its interest as aforesaid, to your orators & oratrices, and, if necessary, to sell a sufficiency of said land to pay the same. To this end they make the said Julian Wadde and Andy Wadde her husband the parties defendants to this bill and ask that they be required to answer its allegations on oath, and on a final hearing that the relief asked be granted, and for all further and general relief. May process issue, directed &c.
And your orators & oratrices will ever pray
Richmond & Orr. attys
for Complainants.

Clerk \$7.39
 S 1.00
 A 15.00
 Estimate 8.00
 \$31.39

George R. Philchard (K+O)
 - it als
 3 Bill in Chy.

Andy Nadle & wife

1887 Ceto Bill filed

Spd Ed & Deksi

" Novr. Deksi

Confirmed &

Cause set for hearing

" Novr Term Decreted

1888 continued this year

1889 " " "

1890 " " "

1891 " " "

1892 " " "

1893 " Mr. T. J. Inc "

" Novr. Decree final

Additional costs

Hyatt C 6.52

M. C 76

\$7.28

1880- July 2/89

George R Milham et al. Defts }
against } In Chancery.
Andy Wadde & wife Defts }

The plaintiffs Counsel admitting the payment of the amount decreed the plaintiffs in this Cause, together with the costs of this suit, and nothing further remaining to be done in this cause the same is ordered to be stricken from the docket.

George R. Philham et al

vs { Decree Final
3

Andy Wadde & wife

Entered Chy O.B.

page 539, Nov
16-1893.

J. Hyatt D. C.

Enter this decree

H. S. K. M.

Nov 16th 1893.

George R. Nileham et als.
against-

Plff } In Chy.
Defts }

Sudly Wadde & Julian Wadde his wife Defts

This cause came on to be heard upon the bill and exhibit therewith, taken for confessed against the defendants, and was argued by counsel, and ~~it appearing to the court that the~~ on consideration thereof it is adjudged, ordered and decreed that the plaintiffs recover against the defendants \$150⁰⁰ with legal interest thereon from the 28th day of March 1878, until paid and the costs of this suit. Subject to a credit of \$50⁰⁰ paid 1887, and the Court being of opinion that said sum of \$150⁰⁰ and its interest is a charge, by deed, upon the tract of land in the bill mentioned, owned by the defendants. It is further adjudged, ordered and decreed that unless said sum of \$150⁰⁰ and interest thereon as aforesaid, and the costs of this suit, Subject to the Credit aforesaid is paid to the plaintiffs within 20 days from the rising of this Court, then James B. Richmond who is appointed a Commissioner for the purpose, will proceed to sell, at the front door of the Court house of this County, on same Court day, on a credit of Six & twelve months, so much of said land as may be necessary to pay the amount of this decree, except the costs of this suit and expense of sale he will require to

he paid in hand, and for the deferred payments
 he will require bonds from the purchaser, with
 good security, bearing interest from date.
 He will before selling post notices of the
 same for at least 30 days at the front door
 of the Court house of this County and in the
 vicinity of said land, setting forth time,
 terms & place of sale, and will execute
 bond before the Clerk of this Court with
 security in the penalty of \$300.00 Conditioned
 as the law directs. He will report his action
 to this Court, and the cause is continued.

George R. Muleham

-itals

vs George No 1.

vs Mary Moller & wife

Entered Pages 86 + 7

Enter
M. Moller

Dec 7 1887

This indenture made and entered into this the 28th day of March in the year of our Lord one thousand eight hundred and seventy eight by and between Allen H. Milam of the county of Lee and State of Virginia of the first part and Julian Waddle and her heirs of the other part, Witnesseth - that in consideration of the sum of one hundred and fifty dollars to be paid to William Milam's heirs as they come to be twenty one years of age. the receipt whereof is hereby acknowledged that the said Allen H. Milam hath granted bargained and sold and delivered unto the ~~said~~ said Julian Waddle and her heirs forever one tract or parcel of land containing one hundred and forty three acres be the same more or less, lying and being in the county of Lee and State of Virginia, on the waters of Yellow Creek and bounded as follows to wit, Beginning at three small black oaks, corner to Eli Davis, and running thence N ⁸ ¹⁰ W 74 poles to a small black oak, hickory and chestnut, thence N 77 W 10 poles to two chestnuts and black oak, thence N 18 W 102 poles to ~~some~~ small black oaks and poplar, corner to Peter Parkey's land, and with his line S 72 W 64 poles to three chestnuts. Sprouts and dogwoods

N 65 W 96 poles to a black oak and chestnut
on a ridge near a sink, thence S 65 W 30 poles
to three black oaks, corner to F. Seal's land,
thence S 19 E 85 poles to two hickories, thence
S 34 W 27 poles to a black oak and hickory
on said Seal's line line corner to Eli Davis's land
and with his line S 40 E 75 poles to a small
hickory and black oak thence S 80 E 162 poles
to the beginning together with all its appertain-
ments to have and to hold forever.

Allen H. Miley, and heirs do warrant and
defend against any claim or claims whatsoever.
In testimony whereof, I, Allen H. Mileyham
and my heirs do warrant and defend
against any claim or claims whatsoever, In
testimony whereof I have hereunto set my
hands and affixed my seal

A. H. Miley Seal

Lee County to wit:

I, N. M. Scott a Justice of the peace
for said - in the State of Virginia,
do hereby certify that Allen H. Miley
whose name is signed to the within deed
bearing date the 28th day of March 1878 person-
ally appeared before me and acknowledged
the same to be his act and deed, given
under my hands this 30th day of March 1878

N. M. Scott J.P.

Virginia Lee County Court clerk's office the 29th
day of August 1888. The foregoing Deed from
A. H. Miley of the one part to Julian Wade
of the other part both of Lee County Va was
this day admitted to record upon the cer-
tificate of N. H. Scott Justice of the peace
in & for Lee County Virginia.

Liste R. W. Orr Jr D.C.

Attest
Liste John R. Gibson Clerk

Julian Walle
From 3 Copy of Deed
A. H. Milson
Deed Book 18 P. 317
J. R. Gibson clks.

A.

fee for this 50¢

Andy Wadde receipts.

Nov	29th 1887.	\$50.00
July	2nd 1889.	50.00
Feb	7th 1888.	50.00
June	5th 1892.	75.00
May	20th 1893.	70.00

150 - Mr 28/78.
 $\frac{58}{1200}$ 8 ms
 $\frac{150}{8700}$ 12 -
 $\frac{116}{58}$
 Cr 50 - 100/87 150 - 8 ms
 37 - 12 7

~~1425~~
~~\$ 51.25~~
 Cr. ~~50.00~~
~~1.25~~

~~1350~~
~~1425~~
~~150~~
~~1.50~~
~~1.20~~

8 ms
 12 7
 9 1/2

ms 8
 2

75 -
 $\frac{600}{20}$

\$ 37

\$ 48.08 ms
 83 1/4

24840
 2404
 1202

27646

48.08

\$ 50.84

81.39 costs

\$ 82.23 Bal

Cr 70.00 May 29

\$ 12.23

Bal 12.23 D

June 19/93

\$ 703.50
 100.50
 50.25 -
 $\frac{17.58175}{100.50}$
 118.08

70.00 cr June 6/92.

\$ 48.08

151.70
 57.00
 188.70
 50.00 cr Feb 7/88
 138.70
 8 1/2
 110960
 6935 -
 117895 -
 138.70
 150.30

50.00 cr July 2/89.

100.50

17 1/2

8 ms
 2 - 11
 $\frac{35}{17 1/2}$

The Commonwealth of Virginia,

To the Sheriff of LEE COUNTY--Greeting:

WE COMMAND YOU to summon

*Andy Wedle and
Julian Wedle his wife*

to appear at the Clerk's office of the Circuit Court of Lee County, at the Court House

on the first Monday in

August

next to answer

*a Bill in Chancery
exhibited in our said Court against them by George D. Milcham
Marmel Manning & Sarah H. Manning his wife Allen
Milcham, Moses Hammer & Nathan Hammer his
wife, John Hammer & Susan Hammer his wife,*

upon a plea of

Damage, \$

And have then and there this Writ. Witness, J. A. G. HYATT, Clerk of our said

Court, at the Court House, this *25th* day of *July* 188*7* in

the *12* year of the Commonwealth.

J. A. G. Hyatt Clerk.

(RT 10)

George R. Milcham
was 3/4 in Chay
Gudy Weddell
Lo Aug. Rules 1887
I did not
Re $\frac{1}{2}$ this spa
until Aug 9/87
S H Cunningham
J L B

The Commonwealth of Virginia.

To The Sheriff Of Lee County Greeting:

We Command You to Summon

Andy Wedle
and Julian Wedle his wife
(as before we have done)

To appear at the Clerk's Office of the Circuit Court of Lee County, at the Courthouse on the first Monday
in *October* next, being rule day to answer a bill in Chancery exhibited in our said Court

against

by

their
George R. Milcham
Manuel Manning & Sarah H. Manning his wife Allen
Milcham, Moses Hammer & Athanas Hammer his wife
John Hammer & Susan Hammer his wife

And have then and there this writ. Witness, J. A. G. Hyatt, Clerk of said Court at the Courthouse.
This *2/21* day of *Sept*, 18 *87*, in the 11 *2* year of the Commonwealth.

J. A. G. Hyatt Clerk.

A Copy Teste

100 + 60

George R. Miffland
as 3 Elias
3 Spain Choy
Andy Meddewife

Lo Octo. Rules 1887

~~Executed by~~
~~Andy Meddewife~~
~~to Julian Meddewife~~

Executed by
delivering a true
office copy of
the within one to
Andrew Meddewife
one to Julian
Meddewife & Co. 1887